IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

MISC.PETITION NO. 207 OF 2002

Birla Global Finance Ltd. ... Petitioners

V/s

Avis Marine Engineers Pvt.Ltd. ... Respondents

Mr. Kevik Sethalwad i/b Mr. Reza A.K.Najam-es-sani for Petitioners

Mr. K.C. Sen, representative of M/s Avis Marine Engineering Pvt.Ltd. For respondent No.1

Mr. M.V.Deshmukh,Court Receiver present.

CORAM : A.S. AGUIAR, J.

DATED : MARCH 1,2005.

P.C. :-

. Learned Court Receiver seeks directions for taking symbolic possession of three D.G. Sets lying in the factory premises of M/s Ashok Papers Ltd. Situated at Rameshwar Nagar, Darbhanga,District Bihar. He states that the premises are locked and the security guard appointed by the Mills have prevented him from entering the premises and hence possession of three D.G. Sets could not be taken as per the orders of this court dated 3/5/2002 and 24/9/2004.

. Learned advocate for the petitioner prays that the Court Receiver be directed to take forcible possession of three D.G. Sets and hand them over to him. However, in view of the fact that the three D.G. Sets lying in the factory premises of M/s Ashok Papers Mills Ltd. Which are in locked condition, no such direction can be given on the Court Receiver's Report. Liberty to petitioner to take out appropriate proceeding.No order on Court Receiver's Report. The petitioner to pay Receiver's cost

(A.G. Aguiar, J.)